

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

GEORGE J. AUSTIN,  
Plaintiff,  
v.  
TESLA, INC., et al.,  
Defendants.

Case No. [20-cv-00800-JCS](#)

**ORDER GRANTING APPLICATION  
TO PROCEED IN FORMA PAUPERIS  
AND SEALING DOCUMENTS FILED  
IN SUPPORT**

Re: Dkt. Nos. 3, 5

Plaintiff George J. Austin, pro se, applied to proceed in forma pauperis. On February 5, 2020, the Court issued an order show cause why that application should not be denied for failure to provide necessary information, *see* dkt. 4, and Austin filed a response on February 14, 2020, *see* dkt. 5. Good cause having been shown, Austin's application to proceed in forma pauperis is GRANTED. The sufficiency of his complaint and any question of dismissal under 28 U.S.C. § 1915(e)(2)(B) will be determined separately.

Some of the documents attached to Austin's response to the order to show cause include sensitive personal and financial information, including Austin's Social Security number. Rule 5.2 of the Federal Rules of Civil Procedure sets forth certain categories of information that generally cannot be filed in the public record of a federal court proceeding. Although a party can waive protection of his or her own information by filing it in the public record, *see* Fed. R. Civ. P. 5.2(h), the Clerk provisionally filed the attachments to Austin's response under seal as a courtesy, and the Court now ORDERS that they be maintained under seal. Those documents will not be considered for any purpose other than Austin's application to proceed in forma pauperis.

Going forward, if Austin needs to submit information that he does not wish to be available in the public record, he must file a motion to file documents under seal pursuant to Civil Local Rule 79-5. Such a motion must generally establish "compelling reasons" to file documents under

1 seal, except that for filings only “tangentially related to the underlying cause of action,” a party  
2 must only show “good cause” for sealing. *See generally Ctr. for Auto Safety v. Chrysler Grp.,*  
3 *LLC*, 809 F.3d 1092 (9th Cir. 2016). Any documents filed without a motion to file under seal will  
4 be made available in the public record.

5 **IT IS SO ORDERED.**

6 Dated: February 24, 2020

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8 JOSEPH C. SPERO  
Chief Magistrate Judge

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United States District Court  
Northern District of California